IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

Bail Appl..No. 4223 of 2007()

CMP.3498/2007 of J.M.F.C., HARIPAD
C.R.NO.46 OF 2007 OF KARTHIKAPPALLI EXCISE RANGE

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: PETITIONER/2ND ACCUSED

RAJU,S/O.CHELLAPPAN,
RAMESH BHAVANAM,
THRIKKUNNAPUZHA KIZHAKKEKARA VADAKKU MURI,
THRIKKUNNAPUZHA VILLAGE,
ALAPPUZHA DISTRICT.

BY ADV. SRI.S.SANAL KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4223 of 2007

Dated this the 12th day of July, 2007

ORDER

Application for regular bail. The offence alleged is under the Kerala Abkari Act. On 19.05.07, accused 1 and 2 were allegedly found to keep in their possession 2,275 lites of wash. The 1st accused is absconding even now. The petitioner was arrested on 21.05.07. Investigation is in progress.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer seriously on condition that the Investigator is given 60 days' time from the date of arrest to complete the investigation and I am satisfied that the petitioner can be enlarged on bail subject of course to appropriate and strict conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 21.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-